

**ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT**

**MINUTES OF REGULAR MEETING**

**Tuesday, December 13, 2011**

The regular meeting of the St. Augustine Port, Waterway & Beach District was held at the St. Augustine Beach City Commission Meeting Room, 2200 A1A South, St. Augustine Beach, Florida on Tuesday, December 13, 2011.

**CALL TO ORDER**

Chairman Jerry Dixon called the meeting to order at 3:00 p.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the flag of the United States of America followed.

**ROLL CALL**

Chairman Jerry Dixon, Vice-Chairman Tom Rivers, Commissioners Barry Benjamin, Herb Rippe and Jay Bliss were in attendance. The meeting was also attended by: District Counsel Jim Bedsole, and Dr. Steve Schropp and Dr. Rajesh Srinivas of Taylor Engineering.

**SECRETARY-TREASURER'S REPORT**

The Treasurer's Report was delivered by Jim Bedsole in the absence of Elyse Kemper. As of November 30, 2011, the District had spent \$163,600 of committed funds of \$254,450. After deducting committed funds and Florida Board of Administration Fund B, net funds available equal \$1,621,598. For tax year 2011-2012, the District has received \$92,686 of expected tax revenues of \$368,165. As of December 7, 2011, net funds available equaled \$1,506,228.

**APPROVAL OF MINUTES**

The minutes of the regular meeting of November 15, 2011 were not yet available for review.

## **ENGINEERING REPORT**

Dr. Steve Schropp delivered the engineering report on behalf of Taylor Engineering. The discussion opened with a comment by Commissioner Bliss to the effect that Marker No. 16 was down near the Lighthouse boat ramp. Dr. Schropp said he would notify the appropriate repair contractors. Dr. Srinivas reported he attended a full day public workshop regarding the Inlet Management Plan held by FDEP. The workshop was attended by members of the public and by many representatives of agencies including St. Johns County, the Corps of Engineers and FIND. Data presented at the workshop was mainly based on work done recently by the Corps of Engineers. Dr. Srinivas explained that sand on the east coast of Florida migrates in a north to south direction usually, and that this creates erosion south of inlets because the sand traveling south is deposited in inlet shoals instead of continuing south. However, events such as storms can cause sand to move north as well as south. Future beach renourishment projects may need to apportion sand between the beaches north and south of the inlet. Beaches north of the inlet represent a significant problem for beach renourishment, however, because of the difficulty of delivering sand there.

Commissioner Rippe said he attended the workshop and came away with the conclusion the north beaches are actually affected by the inlet but not nearly as much as the south beaches. The north beach is narrow and erosion there is more noticeable. He also believes the solution is to take sand from inside of the inlet and from the Intracoastal Waterway, not just the ebb shoal. He said taking sand from sources other than the ebb shoal when possible would work to everyone's benefit and resolve most of the complaints from property owners on the north beaches who simply want the IMP to recognize the possibility of taking sand from the inlet and ICW and depositing it on the north beaches.

Dr. Srinivas said shore protection projects are limited by existing legislation and permits which call for moving sand onto the south beaches only. St. Johns County is conducting a navigational study of Vilano Beach that is funded differently than beach renourishment studies. Studies indicate most of the sand migration accumulates on the ebb shoal with about twenty percent going into the inlet. Very little makes it onto the flood shoal. Sand taken from the ICW and inlet is mainly accessed by funding for navigation. The ebb shoal is addressed mainly by beach renourishment dollars.

Chairman Dixon said funding for work on the north beaches would be difficult because those beaches offer little public access and would be subjected to different funding rules than the south beaches.

Commissioner Bliss asked how far north FDEP was contemplating moving sand. Dr. Srinivas said they had discussed erosion as far as ten miles north and that erosion slowed farther from the inlet. Also, even if the transport of sand northward were permitted, the benefit-to-cost ratio is so extreme that cost-sharing would be far different than a beach project to the south. Funds for work north of the inlet could be very limited.

Commissioner Bliss asked if dredging the channel to the proposed thirty-foot depth would affect sand migration. Dr. Srinivas said dredging will allow more water in and out each day, but that a deeper channel will fill in more rapidly.

## **OLD BUSINESS**

### **A. Individual Correspondence - Chairman Dixon.**

Chairman Dixon said there may be a problem with the way individual commissioners have been represented to other agencies, such as the Coast Guard, in that it is sometimes unclear that communications from individuals do not represent a position taken by the Board, formally. As an example, he said Commissioner Bliss has contacted officials of the Coast Guard about the way the inlet is marked and that this has resulted in the Coast Guard seriously considering pulling its markers from St. Augustine Inlet. He said the Coast Guard has good reasons to improve its markers in the inlet and among those reasons is the existence of the offshore driving school operated by Homeland Security. He said the Coast Guard may have gotten the mistaken impression that the Board as a whole is dissatisfied with its performance.

Commissioner Bliss said he has had positive communication with the Coast Guard and that Chairman Dixon could be misconstruing the situation. He said he was proud to be a part of the Board and has used that status as a signature identification, but that he has never led anyone to believe he was acting on behalf of the Board.

Vice-Chairman Rivers said he believes any communication with another agency should come from the chairman or a consultant or a Board member designated with the task.

District consultant Ken Krauter said it is important for the Board to delegate one of its members to take action on behalf of the Board. This is important when dealing with other agencies as their personnel will automatically defer to an elected official because they assume that official is acting with full authority of the Board.

Chairman Dixon said Commissioner Bliss had also contacted the Sheriff's Office about taking over the derelict vessel program from the City of St. Augustine. Commissioner Bliss said he contacted SJSO because a derelict vessel north of the city limits was presumably outside the area in which the city could remove it, and he was curious whether SJSO could do so.

Mr. Krauter reiterated the importance of having a code of conduct setting forth an approved policy for use by Board members in their communications regarding Board business. Chairman Dixon asked Mr. Krauter to create a draft policy the Board could review.

### **B. MOA - Corps of Engineers - Jim Bedsole**

Jim Bedsole said that efforts begun during the summer to have the Corps of Engineers perform emergency dredging of the inlet channel had resulted in a draft memorandum of agreement being circulated among the staff of ACOE and eventually to Mr. Bedsole and Chairman Dixon. In a recent telephone conference with ACOE staffers, it became clear that the present need for emergency dredging no longer exists because of the resolution of the legal issues which had previously delayed inlet dredging. Also, ACOE staff related that ACOE's policy now is against having standing or on-going agreements with other agencies for non-specific projects. Instead, ACOE has gravitated toward single purpose agreements.

However, their staff did say that an MOA for emergency dredging of the inlet may be specific enough to be approved by its administrators and that they will send the contract, as amended, for review. Mr. Bedsole said he would inform the Board as soon as a response was received from ACOE.

C. Derelict Vessel Update - Commissioner Bliss

Commissioner Bliss began the discussion by commenting on how long it takes to remove some derelict vessels and asked how it could be expedited. He said one vessel had recently required six months to remove. He said derelicts are hazardous to mariners and that the process should be accelerated somehow. Chairman Dixon said the process often involves several agencies and that due process is required, but the team in place now is very good.

Commander Steve Fricke, St. Augustine Police Department, said that only law enforcement agencies can declare vessels to be derelict and that even after that is done, removal contractors face tidal and weather conditions which are often adverse. He said the City's removal program is one of the best in the state. He then presented the Chairman with a check for \$4,300 representing the proceeds of scrap metal sales from derelict boats. Vice-Chairman Rivers said derelicts were a huge issue just a few years ago and noted the situation today is greatly improved.

Commissioner Bliss asked Lt. Steve Zukowski, FWC, to speak but Lt. Zukowski deferred to Sgt. Jay Bucher, St. Johns County Sheriff's Office. Sgt. Bucher said Commissioner Bliss called him and asked him to remove a boat north of the city limits. Sgt. Bucher said he told Commissioner Bliss the Sheriff's Office could not get involved but that he would contact the city. He then called Commander Fricke who told him they already knew about the boat in question.

Lt. Zukowski then stated the derelict vessel map used by Commissioner Bliss in his presentation was not current and that most of the vessels shown had already been removed. Commissioner Bliss said he had taken the map from FWC's own website earlier that day. Lt. Zukowski said the problem is often that owners make temporary repairs and then move the boats. This causes the whole process to start over. Most local governments offer no assistance with derelicts as the responsibility is finally with FWC. The statewide average removal time is about 12-18 months versus several months here. FWC always tries to obtain voluntary compliance first, then investigates and files charges, if necessary. Commander Fricke said the city does not get involved with at-risk vessels, only vessels declared derelict by FWC.

Lt. Zukowski then recounted the beaching of a thirty-foot sailboat on Anastasia State Park beach after a power failure in the inlet. Heavy weather overcame the vessel and it was totally destroyed. The crew all escaped injury.

He added that new speed zone signs will be installed on the Vilano Bridge and Bridge of Lions prior to the end of the year and that new buoys will be placed around the Vilano Bridge as added information.

**NEW BUSINESS**

There was no new business.

**PUBLIC COMMENT**

There was no public comment.

**COMMENTS BY COMMISSIONERS**

Commissioner Benjamin said the Regatta of Lights was poor because of the low number of boats participating and the poor quality of the presentation. He suggested the District request an accounting of how its advertising money was spent. Vice-Chairman Rivers said the show was better the year before. Chairman Dixon said the weather and traffic was bad and that probably kept people away.

Vice-Chairman Rivers announced he would be running for School Board in the November, 2012 election and that he will resign his seat on the Board at the appropriate time. He said the School Board seat is one now held by the Honorable Carla Wright and that Mrs. Wright has announced she will not be seeking re-election.

**NEXT MEETING**

The Chairman announced the next regular meeting is scheduled for Tuesday, January 17, 2012, at 3:00 p.m. in the same location.

**ADJOURN:**

There being no further business, Chairman Dixon adjourned the meeting at 5:30 p.m.

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Secretary-Treasurer

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Chairman